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RUEHVEN/USMISSION USOSCE PRIORITY 0576

C O N F I D E N T I A L BAKU 000636

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DEPT FOR EUR/CARC AND DRL/AE

E.O. 12958: DECL: 05/24/2017
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [KDEM](#) [AJ](#)
SUBJECT: DEMARCHE ON HUMAN RIGHTS ISSUES

REF: STATE 68180

Classified By: Charge d'Affaires Jason P. Hyland per 1.4 (b,d).

¶1. (C) Over the last week, the Embassy has been actively engaged in advocacy on both media freedom and access to the Farhad Aliyev trial (reftel). Charge used the occasion of a May 23 meeting with visiting senior US officials (septel) to raise our media concerns with President Aliyev. Charge told President Aliyev that Washington asked him to raise its concerns on the negative trend in media freedom, and to ask for his support in addressing these concerns. Aliyev nodded in agreement, said he was well aware of the situation, and was working on it. Charge also raised these concerns in a May 18 conversation with Deputy Foreign Minister Mammadgulyev, who promised to convey this message to appropriate officials. Mammadgulyev commented that he personally believes that libel should be decriminalized but that journalists cannot be allowed to print irresponsible lies.

¶2. (C) Charge raised our concerns about access restrictions in Farhad Aliyev's trial with Deputy Foreign Minister Mammadgulyev (the MFA insisted that Foreign Minister Mammadyarov was unavailable because of a series of visits, including the Hungarian and Russian Foreign Ministers). Mammadgulyev was noncommittal, stating that the issue was not his area of responsibility. He argued that the access issue should not be of concern to the international community, as Aliyev is being tried on corruption issues. Charge responded that it was important that all trials be conducted in a fair and transparent manner, and that we had not had such access problems in the past. Mammadgulyev promised to communicate the USG message to the appropriate officials. We have also raised these concerns at a variety of levels throughout the Azerbaijani government, including the President's Legal Advisor, the President of the Court of Grave Crimes, and a key aide to the Minister of Justice. Given the extreme sensitivity of the trial, no one has been willing to engage us in a substantive discussion.

¶3. (C) Comment: Now that the preliminary hearings are over, the Aliyev trial will begin in earnest on May 30. We will continue to press for courtroom access for the media and for international observers, and will raise our concerns with Foreign Minister Mammadyarov and other key officials next week. The OSCE Office in Baku also is troubled by the access restrictions, and has raised its concerns in a letter to the Minister of Justice. We will consult the OSCE on possible next steps. We also are consulting the OSCE and key Western embassies on media freedom issues, and have a pending request for a joint meeting with Presidential Chief of Staff Ramiz Mehdiyev to raise our concerns over the deteriorating media climate.
HYLAND